

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

JASON A. ZANGARA

Plaintiff

v.

National Board of Medical Examiners (NBME)

Defendants

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Civil No. 3:22-cv-01559-GC-LHG

**CERTIFICATION IN SUPPORT OF  
APPLICATION FOR  
PRELIMINARY INJUNCTION  
PURSUANT TO RULE 65**

I, Jason A. Zangara, Plaintiff Pro Se in the above captioned matter sworn and state the following:

1. According to my parents, and the available medical records I was diagnosed with ADHD and placed on Ritalin at age 7. (See Exhibit A )
2. I have attached some relevant portions of my medical records for the courts review but I have not attached all of them. The purpose of this is because there are so many them I have keep and it would be expensive to make all these copies just for a motion. The portions that I have included are key facts that pertain to this case. I invite the court o request whatever documents it would like and I was make the relevant copies free of charge. However in accordance with the court rules I will make these documents available for inspection by defendants or copies available at their expense.
3. My first Doctor was Somerset Pediatrics in Bridgewater New Jersey who diagnosed me with ADHD in 1994
4. When I was told that I needed to find an adult Doctor I was treated by Dr. Stephen Budoff in Hillsborough then Somerville New Jersey

5. Shortly after, I established care with Robert wood Johnson Family practice in New Brunswick. I was not happy with their services so I transferred to Rutgers Internal Medicine
6. When I was in school I did not have insurance so I was paying all of my medical expenses including Dr. Buddoffs fees. When I was able to get insurance again I then transferred to Dr. Kenneth Kaufman (since he was covered by insurance) who is a Professor of Psychiatry for Rutgers Medical School in New Brunswick
7. Dr. Kaufman has been my psychiatrist for the past few years
8. All of my current Doctors are Professors at Rutgers Medical School in New Brunswick in their respective specialties
9. I have tried to keep copies of the best records that I can, but I do not have medical records from when I was in Curacao at school. I saw the local doctor was as managing my medical issues with medications that were generic to Concerta if I remember correctly
10. My parents tell me that my second grade teacher Mrs. Hendrickson was asked to teach second grade my year because the school was short. She was a "special education" or "resource teacher" or something before and helped students individuality before she stated teaching my class. According to my mom, Mrs. Hendrickson recognized that there was a problem with me and asked her to take me to the doctor to get evaluated. That's when I was diagnosed with ADHD, in second grade
11. I was "classified" with learning disabilities in addition to ADHD in 9th grade 2001 and given an Individualized Education Plan "IEP" under section 504 (See Exhibit B)

12. Based on the records I was transferred out of district to a full time special education program in Highland Park called "The Center School" where I remained through my senior year (See Exhibit C)
13. I was not doing well academically until I was transferred to Center School and my grades improved significantly (See Exhibit D)
14. After I graduated high School, I attempted to study at multiple colleges and failed multiple times (See Exhibit E)
15. My ADHD and learning disabilities effect my everyday life even with taking medications. I have to be in a room totally silent with no distractions to even think when taking a test or attempting to learn a new concept. Hands on or practical education has always come easy to me, but not academics. Mathematics and Science are very difficult topics for me. When I am sitting in a lecture and the professor is taking, the words are distracting me from reading the slides. If I have to write something down, I can't concentrate on what he is saying while trying to spell all the words properly. By the time I get my note to the paper, I don't know what the next concept was about because I can't write and listen at the same time When I read alone, I can't visualize the concepts that are abstract. Trying to visualize biochemical pathways or anatomical locations are the biggest challenge since my brain is trying to make sense or the words verse the picture or vise versa. I also have a problem with outright memorization. My brain tries to create an image of the concept and if I can't do that. Some things that are not related to visual memory like descriptions of a concept in a book I can remember as long as it does not require an image to explain it. I have to read things multiple times sometimes to remember, but I can remember with multiple, multiple repetition of complicated

information. My ADHD and Learning Disabilities have had a significant impact on my life for as long as I can remember.

16. I attempted Online courses since I had some college courses and experience where I was able to isolate myself from distractions, take as much time as I needed and didn't really have time constraints to finish my degrees (See Exhibit F)
17. Following this, I applied to Caribbean Medical University on the island of Curacao in the Caribbean where I had the same problems I had in a mainstream environment. I was able to struggle and pass although I failed multiple times. Two of the failures are still evident on the transcript, as then dean said there was some technical error and they are still trying to be updated. I therefore was permitted to take clinical rotations in which I did much better academically (See Exhibit G)
18. In order to proceed in the program, I need to pass the Comprehensive Basic Science Examination (CBSE) and United States Medical Licensing Examination Step 1 (USMLE Step 1) both administered by the National Board of Medical Examiners (NBME)
19. In addition to this, I need to pass the Subject Examinations or "Shelf Exams" or "Clinical Subject Examinations" also administered by NBME due to a change in accreditation requirements. When those are completed, I will need to take the Comprehensive Clinical Science examination and USMLE Step 1 also administered by NBME.
20. I have tried multiple times to pass the CBSE along with examinations with no success
21. I have not passed any of the examinations I have taken from NBME because they require me to score the same as average people and do not evaluate my examination results independently as this is advertised on their current website located at <https://www.nbme.org/assessment-products/assess-learn/subject-exams> (See Exhibit H)

22. I have attached a true and accurate copy of "Subject Examination Program Score Interpretation Guide (See Exhibit I)
23. Attached is a true and accurate copy of my last CBSE which I had taken here in New Jersey on 3/27/22 (See Exhibit J)
24. Attached is a true and accurate copy of "Common Questions about NBME CBSE/CBSSA" I obtained from the NBME website (See Exhibit K)
25. Attached is a true and accurate copy of my shelf or "Subject Examination" scores which I have also taken here in New Jersey (See Exhibit (L))
26. I was told by my school that each shelf exam has its own passing score set by Defendants. None of my shelf exams are currently passing
27. When I returned home from Curacao, I requested neurophysiologic testing from my doctors and have attached a true and accurate copy of the results (See Exhibit M)
28. Attached is a true and accurate copy of Sampson v National Board of Medical Examiners (See Exhibit N)

I further certify that the above statements are true, the attached documents are true and accurate copies and I am aware that if they are willingly false, I am aware that I am subject to punishment.



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